Onus of proof in cases of Custodial Dealth

2406. DR. ALLADI P. RAJKUMAR: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Law Commission in one of its report has recommneded that in case of custodial death in police custody or judicial custody, the onus of proving of innocence may be fixed on the police or jail administration; and

(b) if so, the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY): (a) and (b) The Law Commission of India in its 152nd Report on 'Custodial Crimes recommended' *'inter alia,* to make consequential amendments to Indian Evidence Act, 1872 to provide that in case of custodial dealth the onus of proving of innocence may be fixed on the police. However in its 154th Report which is a comprehensive review of all its earlier repots including the 152nd Report, the Commission did not recommend the above said amendment.

Modernisation of Para-Military Forces

2407. SHRI SUDARSHAN AKARAPU: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the various steps taken by Government for modernisation of paramilitary forces;

(b) the total amount sanctioned *vis-a-vis* spent on the modernization of para-military services;

(c) whether any training/orientation programme is given to the paramilitary personnel so that they do not misbehave with people while conducting combat operations;

(d) if so, the details thereof; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI SRIPRAKASH JAISWAL): (a) and (b) Government has approved a five year perspective plan (2002-2007) for modernization of the weaponary, machinery and equipment, transport, communication/surveillance systems and training needs of the Central Para Military Forces, at an estimated cost of Rs. 3740.71 crore. The major thrust is to acquire modern weapons

and ammunition, special protective equipments/vehicles, advanced communication equipment and modern training aids, etc. Against an estimated cost of Rs. 3740.71 Crore for five years the expenditure incurred upto February 2005 is Rs. 1406.55 Crore.

(c) and (d) During the induction, in-service and rotational training programme conducted by the para-military forces emphasis is laid that force personnel should be sensitive to the concerns of the weaker section of society, and also to the issues concerning human rights.

(e) Does not arise.

Stationing of Para-Military Forces in states prone to natural calamities

2408. SHRI T.T.V. DHINAKARAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether it is a fact that a section of para-military forces are to be set apart and trained for relief operation during natural calamities;

(b) if so, the details thereof; and

(c) whether such trained forces will be stationed in States prone to natural calamities?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI S. REGUPATHY): (a) Yes, Sir.

(b) and (c) Eight battalions of Central Para-Military Forces have been earmarked for specialist response to natural disasters. The requirements of the States prone to natural calamities will be kept in view while locating the earmarked battalions.

Terrorism in Jammu and Kashmir and North Eastern States

†2409. SHRI UDAY PRATAP SINGH:

SHRI RAJ NATH SINGH:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether any action plan has been formulated by Government to root out the terrorists in Jammu and Kashmir and insurgency in the North Eastern States; and

(b) if so, the details thereof?

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†Original notice of the question was received in Hindi.